

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MARIA HERMINIA GRATEROL-GARRIDO,

Plaintiff,

v.

PATRICIA MARIA VEGA,

Defendant.

20 Civ. 4209

COMPLAINT

Plaintiff Maria Herminia Graterol-Garrido (“Plaintiff” or “Graterol-Garrido”), by her undersigned attorneys, alleges as follows for her complaint against defendant Patricia Maria Vega (“Defendant” or “Vega”):

NATURE OF THE ACTION

1. Plaintiff Maria Herminia Graterol-Garrido is a human rights activist with a distinguished career working with non-profit organizations throughout the world. Defendant Patricia Vega has engaged in a deliberate attempt to destroy Plaintiff’s professional reputation as part of a scheme to extort money from Plaintiff’s husband, who fathered a child with Defendant through a one-time sexual encounter. To carry out this scheme, Defendant has aimed a barrage of unsolicited communications at Plaintiff’s professional contacts and the public at large, in which Defendant falsely accuses Plaintiff of committing various acts of financial fraud and tax evasion. Consequently, Plaintiff has been forced to bring this action to clear her good name and put a stop to Defendant’s campaign before it irreparably damages Plaintiff’s ability to pursue her calling in the non-profit sector.

THE PARTIES

2. Plaintiff Maria Herminia Graterol-Garrido is a citizen of Venezuela currently domiciled in Australia.

3. Defendant Patricia Vega is a citizen of the United States currently domiciled in the County, City and State of New York.

JURISDICTION AND VENUE

4. This Court has jurisdiction of this action pursuant to 28 U.S.C. § 1332(a)(2) because it is between a citizen of the State of New York and a citizen or subject of a foreign state who is not lawfully admitted for permanent residence in the United States and is not domiciled in the State of New York, and the amount in controversy exceeds \$75,000 exclusive of interest and costs.

5. Venue is proper pursuant to 28 U.S.C. § 1391 because Defendant resides in this district and a substantial part of the events or omissions giving rise to Plaintiff's claim occurred in this district.

FACTS COMMON TO ALL CLAIMS FOR RELIEF

6. Plaintiff is an accomplished human rights activist who has dedicated her career to fighting for the rights of impoverished women and children throughout the world. She holds a Master of Public Administration from Harvard University and an L.L.M. from Columbia Law School, and has founded several non-profit organizations and been a board member or consultant for many more.

7. In 2010, Plaintiff's husband had a one-time sexual encounter with Defendant while they were in graduate school together. Years later, Defendant contacted Plaintiff's husband about his possible paternity of her son, and in 2014 a genetic marker test indicated that Plaintiff's husband was most likely the biological father. Plaintiff's husband acknowledged paternity and

began paying prospective and retroactive child support pursuant to a consent support order negotiated in a Family Court paternity proceeding in which both he and Defendant were represented by counsel.

8. Plaintiff's husband satisfied all of his child support obligations by making all payments required by the consent support order. Plaintiff's husband also provided Defendant financial support not required by the order, such as guaranteeing her apartment lease and wiring additional funds at Defendant's request. Defendant has an M.B.A. from Columbia University but chooses not to work, and has claimed that she uses free time during which she could be working to instead "research the statutes and laws" that she believes would entitle her to additional money from Plaintiff's husband.

9. In 2018, Defendant began stalking and harassing Plaintiff and her husband, including threats about their then-seven-year-old twin daughters. To protect her children, Plaintiff temporary relocated with them to a friend's home in New Jersey, but Defendant tracked them down and began harassing the friend too. As a result, in December 2018, the Family Court entered a temporary order of protection barring Defendant from any having any contact with Plaintiff, her husband and their children. The order of protection remains in effect today.

10. In January 2019, Defendant filed a pro se motion to vacate the consent support order, arguing, among other things, that various unpaid volunteer work that Plaintiff performed, as well as the time Plaintiff devoted to raising their twin daughters, should be treated as "waived income" and that this phantom "waived income" should be imputed to Plaintiff's husband in calculating his support obligation.

11. Literally two minutes before Defendant's motion to vacate was supposed to be heard in Family Court, Defendant withdrew her motion and instead filed a new pro se action in

Supreme Court, New York County, seeking “de novo establishment of parentage in UIFSA-compliant format to register the case and begin evaluation for international, long-term enforcement.” In her new action, Defendant demanded “restitution” of \$90 million.

12. Defendant asserted that “[a]ll orders made by the New York Family Court regarding [Defendant’s case] are defective,” and that three different Family Court referees who had previously ruled against her had been “influenced and corrupted” by the attorney for Plaintiff’s husband into making “decisions of law in egregious excess of jurisdiction.” Defendant further argued that Plaintiff’s husband, a citizen of Australia, “as a non-qualified alien is NOT entitled to use the free services of the Family Court without registration of the Child Support obligation in Australia.”

13. On May 15, 2020, the Supreme Court granted the husband’s motion to dismiss Defendant’s action in its entirety. In response, Defendant embarked on a defamation campaign designed to pressure Plaintiff and her husband to accede to Defendant’s financial and other demands. Specifically, on May 16, 2020, Defendant published the following post addressed to Plaintiff on Defendant’s publicly-accessible Facebook page:



Patty vega

42 mins · 0

The first time I posted this, you proposed that we get together. By reaching out you gave me some courage to assert rights that were being denied to my son. A month after you invited me to coffee, you fraudulently conveyed your UWS apartment to disinherit this little boy. You falsely accused me of misconduct in Court then refused to appear to testify to support your own lies. You removed two little girls from the United States to prevent this little boy from having sisters. You've spent years transferring assets and hiding investments to make sure your husbands child support payments are so low that your lifestyle is not impacted. Your lies were given credibility in a Court of law that you have used to restrain my freedom of speech and movement for almost two years. Finally this year I have proof that every word you, your husband, and your unethical lawyers have uttered in this matter were a smokescreen for you to flee the country to hide and prevent a child from having memories with your daughters. I never even wanted the money, I just wanted my son to be loved. I just wanted my TIME so I could restore my career after almost ten years during which legal child support has never been paid because legal paternity as never been established. Paternity still not established after almost ten years despite a DNA genetic marker test

with 99.99% confirmation and almost thirty hearings to try to get the orders registered in Australia but you paid off unethical lawyers to assert that registering the obligations as required by Australian and US laws is not necessary. Peter lied about his residency and presented the jointly filed US tax returns that looked pretty legitimate at first but that you were not allowed to file and claim married exemptions without also reporting the investments you had in Australia and Florida and wherever else you two have shell companies. Your financial maneuvers were so complex they overwhelm lawyers, you even got your corrupt friends from HOLA NYC to witness the transfers of the luxury oceanfront Florida investment properties, for \$10.

YOU, Maria Herminia Graterol Garrido have incited violence, US federal

felony non-support and abandonment of a little boy. Your words, Maria Herminia Graterol Garrido have made a slave out of me after Peter lured us to New York with promises that he would spend time with this child until he and you changed your minds and decided to scheme to defraud and hold me hostage with a family offense petition based almost entirely of your false statements and conjecture by your shameless attorney who has been allowed by every court to allege falsely that the court can disregard your abuse of your stepson.

You stole MEMORIES from children and TIME to have a career, social life, and peace of mind that my son is not

being abused and impoverished from me.

Maria Herminia Graterol Garrido your lawyer convinced another Court to enforce the stipulations that were illegally made to serve your interests but the law will catch up with you and your deceit and profit from my sons torture will be brought to justice as will you and your husband and the disgusting financial tricks your lawyers in Florida helped you get away with like selling the luxury condos owned by tax evasive shell companies you controlled to companies that did not even exist. You concealed your tax evasive investments and the fortune of in business investment expenses that were concealed from every court and the company in Australia and the chalets in Egypt.

Your greed and selfishness Maria Herminia Graterol Garrido have no boundary. I didn't even want money I just wanted this little boy to be loved and have family and wholeness and NOT be rejected. I begged you to not reject him.

Now this little boy will be forced to leave the friends who became the family you should have been because we will be evicted and have to leave the state.

Your crimes against this child, abuse of legal process to silence me and hold me hostage will be brought to justice in Florida where your fraudulent conveyances will be easier to prove and you and your husband haven't paid off a corrupt lawyer and court officers to not even verify your foreign tax identity.

I thought you were a good person who stood for Children's rights, but you only care for them when they don't cramp your lifestyle. Every minute I have been tortured and help hostage by your false accusations will be held against you by a court and eventually by God and the three children you have deprived of one another.

Your daughters will never forgive you for depriving them of the brother you did not even let them meet before you fled the country with the income deferred to retirement and the liquidated investments and the concealed incomes and the condo you sold to yourself for \$10 so this little boy would not inherit any of its value. Maria Herminia Graterol Garrido your day on the stand to defend your actions to hurt my son and me will come and you and your husband will be brought to justice for hurting this little boy who only wanted to be loved by his father who has refused to contact him in almost 700 days, two birthdays, two christmases with no present or card or phone call. Two New Years without a call, two Easters when you two pretend to be Christian and could not even send a greeting card. You are clearly a gifted lawyer who has spent many years abusing US courts to evade obligations but even if you continue to get away with every scam you put together to hurt this little boy, the judges who will never forgive you are your daughters and you will never deserve their forgiveness for stealing childhood memories with this wonderful child from them so you could have a

keep up your red carpet lifestyle.

I begged you to consider the importance of having a relationship with his father. I begged you to not hurt this little boy who does not know why his father never called him again and left New York without even saying goodbye.

I pray for your daughters that the messed up games you play with their reality do not scar them for life when they know how you deceived them and pretended they did not have a brother so they could go to posh green ivy school and fancy knitting that cost more than every penny of the stipulated illegal agreements forced on us in violation of New York and Australia law

14. Defendant also sent the following direct messages to the Think + Do Tank Foundation, an Australian non-profit organization whose board Plaintiff will chair beginning in July 2020:

Please make sure Maria Herminia Graterol Garrido receives these documents that prove that every word filed by her to deprive my son of human, legal, and property rights will be used against her when my son's parentage is legally established in Australia and she will be held accountable for every fraudulent conveyance made starting with the first condo to a company that was not even established yet James and Jessie II was not even an LLC when she started defrauding my son and the United States federal government, her New York nonprofit employed undocumented workers with low wages and no legal protections, she commingled assets through Venmo to conceal her income from the court to deprive my son of legal child support that has never been established while she and her husband fled the country and held me hostage by making false accusations against me to hurt a little boy. This document proves what they have always known and lied about, that paternity and child support were never legally established for my son, the child Maria Herminia Graterol Garrido has incited violence against. I urge you to keep clear accounts to

ensure her financial misconduct in New York is not repeated in your organization in Australia.

Your new board member is corrupt, has evaded taxes for decades and she will corrupt your organization. Her and her husband fled New York and moved back to Australia because it is one of the only countries that does not imprison people for non-support and abandonment of children.

Here's the deed Maria Herminia Graterol Garrido sold a \$1.7M condo to herself for \$10 to disinherit a seven year old boy
https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=2018072301024001

New York Web Public Inquiry

a836-acris.nyc.gov

15. Defendant also published the following statements on Twitter:

Patty Vega
1,076 Tweets

Tweets
Tweets & replies
Media
Likes

[Show this thread](#)

Patty Vega @pattyvega · 1d
Australian citizens @peterikladious and Maria H Graterol schemed yo disinherit and defraud a child. Fraudulent transfer to evade paying legal child support [a836-acris.nyc.gov/DS/DocumentSea...](https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=2018072301024001) @iAuditorbySC

You reported this Tweet.
View

Patty Vega @pattyvega · 2d
Replying to @pattyvega
@NYSCourtsNews Breach Duty to Cooperate with State Agency Eileen Stack OSCE @ACFHHS Title IV-D Fraud. NYC Supreme Justice Hoffman serves Foreign Interest rewards maltreatment of US Minor Child. Dismissed without investigation. No CEJ, PJ, SMJ

Patty Vega @pattyvega · 2d
@nysotda I have filed three requests to Establish Parentage through the UCS that have never been reported to you. Each included "Direct Application" for Child Support Services. The Family and Supreme Court have rewarded maltreatment and abandonment of a child.
[Show this thread](#)

16. While these calumnious accusations would naturally harm anyone's reputation, they are especially damaging to Plaintiff, both professionally and emotionally, because she has dedicated her career to helping disadvantaged women and children.

17. Upon information and belief, Defendant knew that her false statements would be especially hurtful to Plaintiff, and intentionally targeted Plaintiff in this manner to coerce money from her and her husband.

**FIRST CLAIM FOR RELIEF
(Defamation Per Se – Facebook)**

18. Plaintiff incorporates each of the foregoing allegations as if fully set forth herein.

19. Defendant's May 16, 2020, public Facebook message to Plaintiff is rife with defamatory statements, including but not limited to the following:

- a. "You fraudulently conveyed your UWS apartment to disinherit this little boy."
- b. "You falsely accused me of misconduct in court then refused to appear to testify to support your own lies."
- c. "You've spent years transferring assets and hiding investments to make sure your husbands [sic] child support payments are so low that your lifestyle is not impacted."
- d. "Finally this year I have proof that every word you, your husband and your unethical lawyers have uttered in this matter was a smokescreen for you to flee the country to hide and prevent a child from having memories with your daughters."
- e. "[Y]ou paid off unethical lawyers to assert that registering the obligations as required by Australian and US laws is not necessary."
- f. "Your financial maneuvers were so complex they overwhelm lawyers, you even got your corrupt friends from HOLA NYC to witness transfers of the luxury oceanfront Florida investment properties, for \$10."
- g. "YOU, Maria Herminia Graterol Garrido have incited violence, US federal felony non-support and abandonment of a little boy."

- h. “You concealed your tax evasive investments and the fortune of in [sic] business investment expenses that were concealed from every court and the company in Australia and the chalets in Egypt.”
- i. “Your crimes against this child ... will be brought to justice in Florida where your fraudulent conveyances will be easier to prove and you and your husband haven’t paid off a corrupt lawyer and court officers to not even verify your foreign tax identity”
- j. “You fled the country with the income deferred to retirement and the liquidated investments and the concealed incomes and the condo you sold yourself for \$10 so this little boy would not inherit any of its value.”

20. Each of these statements is defamatory per se because it accuses Plaintiff of serious criminal wrongdoing and/or defames her in her trade or profession.

21. Each of these statements is of and concerning Plaintiff and would be recognized as such by the public.

22. Each of these statements exposes Plaintiff to public contempt, hatred and/or ridicule.

23. Each of these statements is neither true nor substantially true. In fact, they are completely fabricated and baseless.

24. Defendant either knew each of these statements was false when made, or was negligent in failing to determine whether they it was false prior to publishing it.

25. As a direct result of these statements, Plaintiff has suffered damage to her reputation both personally and professionally, and has suffered anguish and humiliation.

26. Plaintiff has also lost consulting income of at least \$50,000 as a result of Defendant’s statements.

**SECOND CLAIM FOR RELIEF
(DEFAMATION PER SE – THINK + DO TANK FOUNDATION)**

27. Plaintiff incorporates each of the foregoing allegations as if fully set forth herein.

28. Defendant's May 16, 2020, direct message to the THINK + DO TANK FOUNDATION is rife with defamatory statements, including but not limited to the following:

- a. "she started defrauding my son and the United States federal government, her New York nonprofit employed undocumented workers with low wages and no legal protections, she commingled assets through Venmo to conceal her income from the court to deprive my son of legal child support that has never been established while she and her husband fled the country ..."
- b. "I urge you to keep clear accounts to ensure her financial misconduct in New York is not repeated in your organization in Australia."
- c. "Your new board member is corrupt, has evaded taxes for decades and she will corrupt your organization. Her and her husband fled New York and moved back to Australia because it is one of the only countries that does not imprison people for non-support and abandonment of children."

29. Each of these statements is defamatory per se because it accuses Plaintiff of serious criminal wrongdoing and/or defames her in her trade or profession.

30. Each of these statements is of and concerning Plaintiff and would be recognized as such by the public.

31. Each of these statements exposes Plaintiff to public contempt, hatred and/or ridicule.

32. Each of these statements is neither true nor substantially true. In fact, they are completely fabricated and baseless.

33. Defendant either knew each of these statements was false when made, or was negligent in failing to determine whether they it was false prior to publishing it.

34. As a direct result of these statements, Plaintiff has suffered damage to her reputation both personally and professionally, and has suffered anguish and humiliation.

35. Plaintiff has also lost consulting income of at least \$50,000 as a result of Defendant's statements.

**THIRD CLAIM FOR RELIEF
(DEFAMATION PER SE – TWITTER)**

36. Plaintiff incorporates each of the foregoing allegations as if fully set forth herein.

37. Defendant's May 16, 2020, public Twitter post includes the following defamatory statement: "Australian citizens @peteriklaudious and Maria H. Graterol schemed yo [sic] disinherit and defraud a child. Fraudulent transfer to avoid paying child support."

38. This statement is defamatory per se because it accuses Plaintiff of serious criminal wrongdoing and/or defames her in her trade or profession.

39. This statement is of and concerning Plaintiff and would be recognized as such by the public.

40. This statement exposes Plaintiff to public contempt, hatred and/or ridicule.

41. This statement is neither true nor substantially true. In fact, it is completely fabricated and baseless.

42. Defendant either knew this statement was false when made, or was negligent in failing to determine whether it was false prior to publishing it.

43. As a direct result of this statement, Plaintiff has suffered damage to her reputation both personally and professionally, and has suffered anguish and humiliation.

44. Plaintiff has also lost consulting income of at least \$50,000 as a result of Defendant's statements.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant awarding: (i) general and special damages in an amount to be proven at trial, (ii) punitive damages in an amount to be proven at trial, (iii) a permanent injunction directing Defendant to remove and refrain from republishing each statement found to be defamatory, and (iv) any other relief the Court deems proper.

DATED: June 2, 2020

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